



Barry Selden, Katelyn Wysocki
DEQ, Water Quality Enforcement Unit
517-373-4621
seldenb@michigan.gov

When Compliance Fails:

The Escalated Enforcement Process For Violation of Water Laws

Water Resources Division (WRD)

Introduction

WRD: Enforcement Units

- Water Quality Enforcement Unit
- Water Resources Enforcement Unit

Compliance vs. Enforcement

- Compliance Activities
- Enforcement Activities

Waters of the State (WOS)

- Examples of WOS

Discharges to the Waters of the State

- Definition and Examples

Site Ownership and Liability

- Examples

Enforcement Activities

- Permits and Laws

Escalated Enforcement

- Definition

Escalated Enforcement Process

- Three Types of Enforcement

Administrative Enforcement Process

- District Actions

Referral to Enforcement Unit

- Enforcement Notice
- Settlement Meetings
- Enforceable Agreement if Negotiations are Successful

Settlement Process

- Enforcement/Settlement Process for a "Mutual Agreement"

Fines and Penalties

- Civil Fines
- Other Penalties

Administrative Consent Orders

- General ACO
- Individual ACO
- District ACO (DACO)

Litigation

- Civil Action

Criminal Prosecution

- Who handles
- Sanctions

Case Example

- Description of Company (LLC)

LLC's activities

- Regulated Activities Description

Violations

- Violations, Enforcement Process, Result